

REMARKS

This amendment is in response to the Office Action mailed June 17, 2003 in which claims 1-26 were pending. In the Office Action claims 1-15, and 18-26 were rejected, and claims 16-17 were objected to. With this amendment the specification is amended, claims 4-6, 13-16, and 21-26 are cancelled, claims 1, 7-9, 11 and 17-20 are amended and the remaining claims are unchanged. Reconsideration and allowance of claims 1-3, 7-12, and 17-20 are respectfully requested in view of the following remarks.

Upon reviewing the specification the applicant noted a typographical error in the specification on page 26 line 17. With this amendment the applicant has inserted a space between the words "204a" and "and" to correct this error. No new matter is entered. Entry of this amendment is respectfully requested.

In Item 3 of the Office Action the Examiner rejected claim 6 under 35 USC §102(b) as being clearly anticipated by Marques et al. U.S. Patent No. 4,365,541. The applicant has reviewed the Marques reference and must respectfully disagree.

Marques discloses a filter arrangement for an air circulation system. In the system, outside air is drawn into the system through inlet 14 of post 13. As illustrated in the figures of Marques, in particular FIG. 1, inlet 14 is located well above the seat 19 of the vehicle, and is in fact above the cab 11. See column 2 line 62 through column 3 line 11. This is in contrast to the wheeled work machine claimed in amended claim 1. Amended claim 1 is amended to include all of the limitations of original claim 6 including all intervening claims. Specifically, amended claim 1 requires a seat mount in the operator compartment, wherein the fresh air vent draws air from beneath the seat, and from outside the operator compartment. As the inlet draws outside air from under the seat and not from above the cab, claim 1, as amended, cannot be anticipated by the Marques reference. Further,

claims 2, 3, and 7-10, as amended, and are believed allowable as well by virtue of their dependency, either directly or indirectly from allowable claim 1. Reconsideration and withdrawal of the rejection are respectfully requested.

In item 10 of the Office Action the Examiner indicated that claims 16 and 17 would be allowable if rewritten as independent claims including the limitations of base claim 11 and all intervening claims. With this amendment claim 11 is amended to include the limitations of claims 13, 14, 15 and 16 as requested by the examiner. Therefore, claim 11 is believed allowable. Also with this amendment claim 17 is amended in accordance with the examiner's suggestion. Further, claims 12, and 18-20 are believed allowable as well based on their dependency either directly or indirectly from allowable claim 11. Reconsideration and withdrawal of the objections and rejections are respectfully requested.

In conclusion it is believed that none of the art of record either teaches or suggests the features claimed in claims 1-3, 7-12, and 17-20. Reconsideration and allowance of claims 1-3, 7-12 and 17-20 are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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